

REMARKS

Claims 1 to 29 are in the application.

Independent claims 1, 4, 12, 17, 20 to 24 clearly set forth the relative positions of the rim, lip and flange comprising applicant's edging member. These positions are quite different from those of the support member disclosed in Patent 4,862,332 (Hardy) cited in applicant's parent application. These differences can clearly be seen from a comparison of the following application Figure 3 depicting applicant's edging member and Patent Fig. 4 depicting Hardy's support member with the parts assigned to it by the Examiner that examined the parent application.

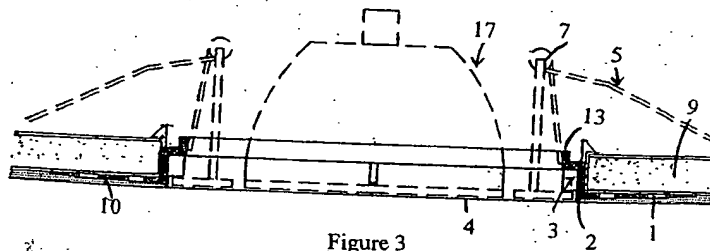


Figure 3

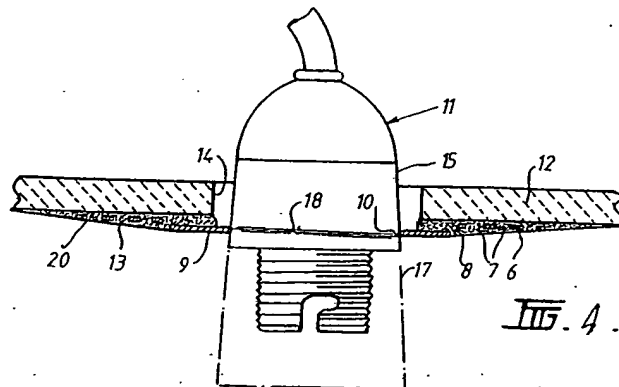


Fig. 4

As clearly seen from Figure 3 and applicant's independent claims, both the lip 2 and the flange 3 of applicant's edging member are located at the inner edge of the rim 1. The lip extends outward and the flange extends in the opposite direction from the lip. Thus after the edging member is installed in a support member 9 orifice, a layer of settable material 10 may be applied over the rim 1 from the lip 2 extremity to at least the outer edge of the rim to form a surface finish over the rim which is flush with the remainder of the surface member 9. Moreover, since applicant's flange 3 extends into the orifice of the support member 9, it protects the usually brittle edge of the support member. It can also include means 13 for retaining a lamp 12 within the edging member as shown in applicant's Figure 6.

None of the above is possible with Hardy's support member depicted in the '332 patent and the above Fig. 4. As seen there, that member's lip 9 does not extend outward from the inner edge of rim 6; the flange 8 is not located at the inner edge of rim 6 and it does not extend in a direction opposite to that of lip 9. Thus, flange 8 obviously cannot fit within the orifice 14 of Hardy's support member 12 and does not define an inner surface for that orifice as required by the last clauses of the above independent claims 1 and 5, the penultimate clauses of claims 14, 19 and 22 and the second clause of claim 26.

Still further, when settable material 13 is applied over Hardy's support member as depicted in Pat. Fig. 4, it extends from the flange 8 outward beyond the outer edge of the rim so that the entire margin of the support member radially inboard flange 8


remains exposed in contrast to applicant's construction (Figure 3) wherein only a very narrow lip extremity or edge is left uncovered. In other words, that extremity is so narrow or fine that the visual effect is that nothing is left uncovered by the settable material 10.

Thus we submit that a comparison of the above application Figure 3 and Pat. Fig. 4 proves that applicant's claimed edging member is patentably different from Hardy's support member. Applicant's different structure produces results which are unobtainable with the Hardy fixture.

Accordingly and for the foregoing reasons, claims 1 to 29 should be allowed.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,



John F. McKenna
Reg. No. 20,912
CESARI AND MCKENNA, LLP
88 Black Falcon Avenue
Boston, MA 02210-2414
(617) 951-2500